ORIGINAL

AO 91 (Rev. 11/11) Criminal Complaint

FILED

UNITED STATES DISTRICT COURT

for the

Northern District of Indiana

16 MAY 19 PM 4:49

U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF INDIANA

United States of America
v.
PATRICK A. DAVIS

Defendant(s)

Case No. 1:16-MJ- 57

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2016 - March 2016 in the county of Allen in the Northern District of Indiana, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C.§1591(a)(1)	sex trafficking of children by force, fraud or coercion.

This criminal complaint is based on these facts:

☑ Continued on the attached sheet.

Complainant's signature

FBI Special Agent Jeffrey Robertson
Printed name and title

Sworn to before me and signed in my presence.

Date: 05/19/2016

s/ Susan Collins
Judge's signature

City and state: Fort Wayne, Indiana

Susan Collins, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

Your Affiant, Special Agent Jeffrey C. Robertson, Federal Bureau of Investigation (FBI), first being duly sworn, depose and state as follows:

Your Affiant is an "investigative or law enforcement officer of the United States" empowered to make arrests within the meaning of Section 3052 Title 18, United States Code and to conduct search warrants and seizures within the meaning of Section 3107 Title 18, United States Code for offenses in which the United States Government is a party of interest.

Your Affiant is a duly appointed Special Agent, employed by the United States Department of Justice, FBI. Your Affiant has been a Special Agent with the FBI since February 10, 2013, and is currently assigned to the Indianapolis Division, Fort Wayne Resident Agency. Prior to employment with the FBI, your Affiant served as a Police Officer with the Orange Police Department, Orange, Connecticut. During the course of this employment, your Affiant has conducted arrests, and obtained arrest warrants and court orders. Your Affiant has investigated crimes involving crimes against children, sex trafficking, assaults, thefts, robberies, firearms and various other offenses which have resulted in arrests and convictions.

After becoming an employee with the FBI, your Affiant received training and experience in interviewing and interrogation techniques, arrest procedures, search and seizure, conspiracy investigations, drug investigations, firearm investigations, crimes against child investigations, sex trafficking investigations, search warrant applications, criminal complaint applications and various other investigative matters.

The statements in this Affidavit are either known personally, or have been told to me directly by law enforcement officers, witnesses and other sources. Since this Affidavit is being submitted for the limited purpose of securing an arrest warrant for Patrick Allen Davis ("DAVIS"). Affiant has not included each and every fact known concerning this investigation. Your Affiant has set forth only the facts that are necessary to establish probable cause.

Introduction

This investigation concerns alleged violation of 18 U.S.C. § 1591(a)(1), relating to sexual exploitation of minors by means of commercial sex act.

a. Title 18 United States Code, Section 1591(a)(1) prohibits knowingly, in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, or maintains by any means a person; knowing, or in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act.

Investigation

On March 29, 2016, at approximately 1:53 p.m., Fort Wayne Police Department (FWPD) Detective George Nicklow (hereinafter Det. Nicklow) and Fort Wayne Police Department Detective Robert Hollo (hereinafter Det. Hollo) observed a Grey Chrysler 300 with Ohio registration GIH9145 parked in front of a residence on XXXX Winter Street, Fort Wayne, Indiana. The vehicle was parked facing west bound on the east bound side of the street in violation of a local ordinance.

Det. Nicklow and Det. Hollo made contact with the occupants of the vehicle. The driver of the vehicle was identified as Cynthia Conlon (hereinafter "CONLON") and the front seat passenger was identified as Patrick Davis (hereinafter "DAVIS"). A third passenger, a young female, appeared to be asleep in the backseat of the vehicle. Detectives woke up the young female. The young female initially identified herself as a 16 year old female from Ohio. CONLON advised Detectives that the young female was her cousin from Ohio. The young female was wearing a great deal of makeup and in Det. Hollo's experience, appeared to be a possible prostitute.

The young female was asked to exit the vehicle. Outside the vehicle, the young female's true identity was discovered. The young female was identified as 14-year-old juvenile, hereinafter referred to as "J.F."[1]. J.F. was listed in the local police system as an active runaway. Detectives spoke with DAVIS. DAVIS advised he had instructed CONLON and J.F. to lie to police. DAVIS told Detectives he was unsure why he had done this.

At approximately 2:15 p.m., Task Force Officer (TFO) Darrin Strayer and your Affiant contacted Det. Hollo while he was transporting J.F. to the Allen County Juvenile Center to advise Det. Hollo that your Affiant wished to speak with J.F.

At approximately 3:30 p.m., FWPD Detective Christopher McCarty (hereinafter "Det. McCarty") and your Affiant met with J.F. at the Allen County Juvenile Center to conduct a forensic interview of J.F. J.F. was wearing a heavy amount of makeup and appeared scared upon initial conversation. When your Affiant asked J.F. why she would think your Affiant would like to speak with her, J.F. response was, "to find out what I (J.F.) had done while I was a runaway". Following a short conversation with J.F., through the combined training and experience of Det. McCarty and your Affiant's, it was determined that there was an immediate need for a full forensic interview of J.F.

At approximately 5:45 p.m., J.F. was forensically interviewed at the Dr. Bill Lewis Center for Children by forensic interviewer Sara Drury.

[1] The true identity of the juvenile victim is known to law enforcement; however, the victim will be referred to hereinafter as J.F.

Det. McCarty and your Affiant were present in the review room during the interview.

During the interview, J.F. stated that she met DAVIS on Facebook and conversed online with DAVIS. During the course of one conversation, J.F. had told DAVIS that she was not even 15 years old yet and that she was only 14. In response to that statement, DAVIS stated that he did not care. J.F. told DAVIS she wanted to run away from home. DAVIS said he would help her do that and come pick her up at her house. DAVIS told J.F. that they would need money to run away. DAVIS instructed J.F. to grab as many valuables as she could grab from her house and they could sell the items to obtain money.

J.F. explained that on March 28, 2016, when DAVIS arrived in the area of J.F.'s residence, DAVIS said he would not pull up in front of J.F.'s house, so he pulled around into the alley behind J.F.'s house. J.F. took her packed bags and met DAVIS in the alley behind the house. DAVIS took the bags from J.F. and placed them in the trunk of a black vehicle. Present in the car was DAVIS'S girlfriend, Sidney (aka CONLON). Inside CONLON'S car, DAVIS told J.F. that he wanted to prostitute her and that CONLON was going to post her on Backpage.com[2]. DAVIS told J.F. if they encountered law enforcement, J.F. was supposed to lie about who she was. On March 28, 2016, DAVIS, CONLON, and J.F. went to DAVIS'S mom's house and spent the night there. DAVIS introduced J.F. to his family as CONLON'S cousin from Ohio and that she was 18 years old.

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[2] Backpage is a classified advertising website. It offers a wide variety of classified listings including automotive, jobs listings, real estate and services. Backpage is the second largest classified ad listing service on the Internet in the United States after Craigslist. Backpage contains a section for adult postings. It prohibits illegal services including prostitution and users

On March 30, 2016, J.F. was again forensically interviewed at the Dr. Bill Lewis Center for Children by forensic interviewer Sara Drury. Detective McCarty and your Affiant were present in the review room during the interview.

J.F. explained that she, DAVIS, and CONLON went to the Walgreens on Anthony to purchase the prepaid card to pay for the Backpage.com advertisement. While at DAVIS'S mom's house, DAVIS told J.F. to keep her mouth shut and that he would do the talking for her. DAVIS would answer the any questions asked to J.F. Outside of DAVIS'S mom's house, DAVIS told J.F. that J.F. was his property and that he owns her. DAVIS told J.F. that she is not to talk to anyone. At one point, DAVIS told J.F. that her name was Alexis. DAVIS explained that he wanted J.F. to work so she could buy him a Lexus, which is why she was called Alexis (a lexis). After picking J.F. up at her house, DAVIS took J.F. cellular telephone from her and deactivated J.F.

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must agree to these terms before posting on the site. The postings in the adult section of the site often contain sexual innuendo including accompanying images. However, explicit offers of prostitution rarely appear there, and are monitored and removed by the company when found. Backpage's adult posting offerings increased after sellers migrated to the site when Craigslist removed its adult services section in 2010.

Facebook.com page "just in case". J.F. felt like DAVIS was keeping her contained and shielded from getting away from him. Though J.F. had not seen DAVIS become violent, J.F. was too scared to not follow DAVIS'S commands.

On April 27, 2016, FWPD Detective Christopher McCarty and your Affiant learned that CONLON and DAVIS were in Fort Wayne, Indiana, in the area of DAVIS'S mom's house. A traffic stop was conducted on a vehicle which DAVIS was a passenger and DAVIS was taken into custody. FWPD Detectives made contact with CONLON at DAVIS'S mom's house and requested she come to the FWPD to be interviewed.

FWPD Detective Christopher McCarty and your Affiant interviewed CONLON at the FWPD. CONLON stated that the first time CONLON met J.F. was when she and DAVIS picked J.F. up from J.F.'S house on March 28, 2016. CONLON and DAVIS drove to the alley behind J.F.'S house and picked up J.F. J.F. had taken several bags of clothes from her house and placed them in the trunk of CONLON'S vehicle. At the time of the interview, J.F.'S clothing was at CONLON'S house. CONLON believed she was picking J.F. up because J.F. was trying to run away from home. Once in CONLON'S car, DAVIS introduced J.F. to CONLON. J.F. told CONLON that she was 17 years old. During small talk with J.F., J.F. told CONLON she was going to make some money. Based on how J.F. was talking, CONLON believed that

J.F. was stating that she was going to have sex to make money. J.F. explained to CONLON that they were going to post her pictures on Backpage.com. CONLON knew that DAVIS intended to prostitute J.F. as soon as J.F. entered CONLON'S car.

CONLON stated that she, DAVIS, and J.F. traveled from J.F.'S house to the home of Sonny Thompson (hereinafter "Thompson"). At Thompson's house, DAVIS introduced J.F. to Thompson. DAVIS told Thompson that J.F. was 16 years old. Thompson voiced concern over J.F.'S age however continued to discuss with DAVIS how to post advertisements for J.F. on Backpage.com. Thompson was trying to come up with a name for J.F. to use on Backpage.com. Thompson suggested that they dye J.F.'S hair platinum blond, give her blue contact lenses, and call her "Mattie". J.F. was to have been posted on backpage.com the night of March 29, 2016. DAVIS initially wanted to call J.F. "Alexis" because J.F. was going to buy DAVIS a Lexus with her prostitution earnings.

CONLON explained that Thompson instructed DAVIS to get a Vanilla Prepaid Card in order to purchase the advertisements for J.F. on Backpage.com. DAVIS and CONLON had originally purchased a Greendot Prepaid Card from CVS, which Thompson told them was the wrong card. DAVIS and CONLON subsequently when to a Walgreens and purchased a Vanilla Prepaid Card. J.F. used CONLON'S cellular telephone to access her

Facebook account. J.F. downloaded nude images of herself from her Facebook.com on to CONLON'S cellular telephone. Thompson and DAVIS intended to use the nude images of J.F. for J.F.'S Backpage.com advertisements. CONLON deleted the nude images of J.F. from her cellular telephone after J.F. was taken from CONLON'S vehicle by law enforcement.

Det. McCarty and your Affiant interviewed DAVIS at the FWPD. DAVIS stated he had met J.F. approximately 3 months prior to picking her up on March 28, 2016. Prior to meeting J.F. on Facebook.com, Thompson had tasked DAVIS with recruiting girls for Thompson to prostitute. Thompson had instructed DAVIS to make the girls trust him and love him. Once DAVIS gained the girls trust, DAVIS was supposed to turn the girls over to Thompson. As a recruiter, DAVIS was supposed to receive 50 percent of the prostitution proceeds from each girl DAVIS provided Thompson.

DAVIS explained that on March 28, 2016, DAVIS told Thompson he was going to be getting a girl. Thompson told DAVIS that she was not going to front the money for hotels, so they needed to have money for the hotels. Thompson told DAVIS to have J.F. take valuables from her parent's house to sell so they would have money for the hotels. The plan was to have J.F. take items from J.F.'S dad's bedroom. J.F., however, had not been able to get into the room and had damaged the door attempting to get into her dad's bedroom. Your Affiant is aware that prior to leaving her house on March 28, 2016, J.F. had attempted to break into her parent's bedroom which is securely locked. In her attempt to break into the room, J.F. had made a hole in the door but was unable to get into the room.

DAVIS stated that prior to picking up J.F., DAVIS had told CONLON that he and J.F. had been working together for some time. Your Affiant believes that based on the context of the conversation, DAVIS was implying that "work" meant prostitution. DAVIS and CONLON picked up J.F. from the alley behind J.F.'s house and traveled to Thompson's house.

DAVIS stated that when they arrived at Thompson's house, DAVIS told Thompson he had brought her a girl. DAVIS introduced J.F. to Thompson and Thompson asked J.F. how old she was. J.F. told Thompson that she was only 16 years old. Thompson told DAVIS that she was really young and that he needed to get her a fake identification. DAVIS intended to call J.F. "Alexis" because he had heard a story from Thompson about a pimp who used that name for a girl referring to the girl using prostitution proceeds to buy the pimp a Lexus. Thompson told DAVIS that he also needed to purchase a Vanilla Prepaid card in order to purchase "coins" required to purchase the Backpage.com advertisement for J.F. DAVIS had previously purchased a Greendot Prepaid Card and Thompson told him that Greendot Prepaid Card was the wrong card. Through your Affiant's experience, your Affiant is aware that Backpage.com now requires payment through Bitcoins[3].

DAVIS stated that he, CONLON, and J.F. purchased a Vanilla Prepaid card from Walgreens. While leaving the parking lot of Walgreens and merging into traffic, CONLON struck a vehicle, causing an accident. While traveling back to Thompson's house, DAVIS was trying to call Thompson on her cellular telephone to tell her they had the Vanilla Prepaid card. Thompson was not answering her cellular telephone so DAVIS, CONLON, and J.F. traveled to DAVIS'S mom's house where the three of them spent the night. DAVIS agreed that had he been able to meet up with Thompson at her house, J.F. would have been prostituted that night.

In April 2016, an administrative subpoena/summons was served to Facebook.com requesting information related to J.F.'S and CONLON'S Facebook.com accounts. According to the information received from Facebook.com pertaining to J.F.'S Facebook.com account, on March 28, 2016, at 17:56:48 UTC (12:56 a.m. EST), a Verizon Wireless assigned internet protocol address (IP) 2600:1009:b11d:95f2:402d:4067:44d8:bd35 was registered as assigned to the user who logged onto J.F.'S Facebook.com account. According to the information received from Facebook.com pertaining to CONLON'S Facebook.com account, on March 28, 2016, at 17:54:56 UTC (12:54 a.m. EST), a Verizon Wireless assigned internet protocol (IP) address 2600:1009:b11d:95f2:402d:4067:44d8:bd35 was registered as assigned to the user who logged out CONLON'S Facebook.com account. Your Affiant notes that it appears that the same device assigned the same IP address logged off of CONLON'S Facebook.com account at 12:54 a.m. was used to log on to J.F.'S Facebook.com account at 12:56 a.m. Your Affiant notes that J.F.'S cellular telephone service is not provided by Verizon Wireless. Additionally, based on J.F.'S normal logon activity, the noted IP address which was used to access J.F.'S Facebook.com page on March 28, 2016 at the specific time is the only occurrence of a Verizon Wireless issued IP address.

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[3] Bitcoin is a digital asset and a payment system. The system is peer-to-peer and transactions take place between users directly, without an intermediary. Since the system works without a central repository or single administrator, the U.S. Treasury categorizes bitcoin as a decentralized virtual currency. Bitcoin is often called the first cryptocurrency, although prior systems existed and it is more correctly described as the first decentralized digital currency. The use of bitcoin by criminals has attracted the attention of financial regulators, legislative bodies, law enforcement, and media. Criminal activities are primarily centered around black markets and theft, though officials in countries such as the United States also recognize that bitcoin can provide legitimate financial services.

In April 2016, an administrative subpoena/summons was served to Facebook.com requesting information related to DAVIS'S Facebook.com accounts. According to the information received from Facebook.com pertaining to DAVIS'S Facebook.com account, on March 28, 2016, at 1:27:04 UTC (8:27 p.m. EST on March 27, 2016), a Verizon Wireless assigned internet protocol address (IP) 2600:1009:b144:df2f:596f:16de:f273:374a was registered as assigned to the user who logged out of DAVIS'S Facebook.com account. According to the information received from Facebook.com pertaining to CONLON'S Facebook.com account, on March 28, 2016, at 1:30:45 UTC (8:30 p.m. EST on March 27, 2016), a Verizon Wireless assigned internet protocol (IP) address 2600:1009:b144:df2f:596f:16de:f273:374a was registered as assigned to the user who logged onto CONLON'S Facebook.com account. Your Affiant notes that it appears that the same device assigned the same IP address logged out of DAVIS'S Facebook.com account at 8:27 p.m. was used to log on to CONLON'S Facebook.com account at 8:30 p.m.

In April 2016, an administrative subpoena/summons was served to Frontier Communications requesting information related to telephone records for J.F.'S home telephone. According to the information received from Frontier Communications there were three telephone calls received from a telephone number, which was later determined to be CONLON'S cellular telephone. According to the records, communication between the Frontier Communications telephone number for J.F.'s home telephone and the telephone number determined to be CONLON'S cellular telephone occurred once on March 14, 2016 and twice on March 28, 2016.

In April 2016, an administrative subpoena/summons was served to Verizon Wireless requesting subscriber information for the telephone number determined to be CONLON'S cellular telephone. According to the information received from Verizon Wireless, the subscriber of the telephone number determined to be CONLON'S cellular telephone at the specific date range requested was CONLON with a billing address of XXXXX Mekus Road, Defiance, Ohio 43512.

Based upon the above information, your Affiant has probable cause to believe that DAVIS violated 18 U.S.C.§1591(a)(1) in that DAVIS in or affecting interstate or foreign commerce through the use of a telephone and the internet, recruited, enticed, harbored, transported, provided, obtained, advertised, maintained, patronized, or solicited by any means a person, namely J.F., knowing and in reckless disregard of the fact that J.F. has not attained the age of 18 years and would be caused to engage in a commercial sex act. The foregoing facts are true to the best of your Affiant's knowledge and belief.

Further your Affiant sayeth naught.

Jeffrey C. Robertson
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me this 19th day of May 2016.

s/ Susan Collins

Honorable Susan Collins
Magistrate Judge
United States District Court